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PATENT MAINTENANCE  
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US PATENT & TRADEMARK  
OFFICE

Alisha Flintroy-Mathis

Typed or Printed Name of Person Sending Paper or Fee

*[Signature]*

April 6, 2006

Signature

Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of:

David J. Freger, et al.

Title: APPARATUS AND METHOD FOR DISTANCE  
MEASUREMENT WITH CONTROLLED  
MODULATION OF EMITTED PULSES

Serial No. 10/776,763

Filed: February 11, 2004

)  
) Examiner: Tung S. Lau  
)  
)  
) Group Art Unit: 2863  
)  
) Confirmation No. 3453  
)  
) Our Docket No.: 6743-0003-1

Hartford, Connecticut, April 6, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR REFUND OF AMENDMENT AFTER FINAL  
AND  
SUPPLEMENTAL RESPONSE TO OFFICE ACTION**

Applicants' agent respectfully requests a refund for the related fees that accompanied the AMENDMENT AFTER FINAL AND SUPPLEMENTAL RESPONSE TO OFFICE ACTION filed on March 29, 2006, in the above-identified case. Based on the circumstances described in the Supplemental Response, Applicants' believe no fees are due. Specifically, the Supplemental Response is only necessary at this time because of the Examiner's admitted oversight in failing to address the Applicants' arguments in the Final Office Action.

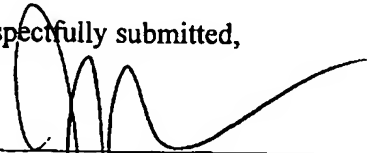
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Even if the extension fees are proper, Applicants' have been overcharged. A two-month extension of time fee is \$225.00 for small entity status, which is claimed in the above-identified case. A fee of \$450.00 for large entity status was charged to the Deposit Account No. 13-0235 on April 4, 2006.

Accordingly, please credit our Deposit Account ~~\$450.00~~, or in the alternative \$225.00 for the excess large entity fees. A copy of the Deposit Account Statement accompanies this Request for Refund.

Respectfully submitted,

By



Justin R. Sauer  
Registration No. 56,920  
Agent for Applicant(s)

McCORMICK, PAULDING & HUBER LLP  
CityPlace II, 185 Asylum Street  
Hartford, CT 06103-3402  
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**Deposit Account Statement**

Requested Statement Month: April 2006  
 Deposit Account Number: 130235  
 Name: MCCORMICK PAULDING & HUBER  
 Attention: JOHN C LINDERMAN  
 Address: CITYPLACE II, 185 ASYLUM ST.  
 City: HARTFORD  
 State: CT  
 Zip: 06103-4102  
 Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
04/03	3	10526710		9204	-\$100.00	\$15,111.26
04/03	52	11291083		2251	\$60.00	\$15,051.26
04/03	53	11291083		2011	\$150.00	\$14,901.26
04/03	54	11291083		2051	\$65.00	\$14,836.26
04/03	55	11291083		2111	\$250.00	\$14,586.26
04/03	56	11291083		2311	\$100.00	\$14,486.26
04/03	57	11291083		2202	\$250.00	\$14,236.26
04/03	1528	78852247	6116-0009	7001	\$325.00	\$13,911.26
04/04	2	10726763	6174-0003	1252	\$450.00	\$13,461.26
04/04	7	11394565	6180-0001-2-1	2011	\$150.00	\$13,311.26
04/04	8	11394565	6180-0001-2-1	2111	\$250.00	\$13,061.26
04/04	9	11394565	6180-0001-2-1	2311	\$100.00	\$12,961.26

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$15,011.26	\$2,150.00	\$100.00	\$12,961.26

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START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$15,011.26	\$2,150.00	\$100.00	\$12,961.26

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04/04/2006 AWISE1 00000002 130235 10776763

01 FC:1252 450.00 DA

Adjustment date: 05/16/2006 SDENB0B1  
04/04/2006 AWISE1 00000002 130235 10776763  
01 FC:1252 450.00 CR

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